



General Assembly

## ***Amendment***

***January Session, 2015***

**LCO No. 8773**



Offered by:

REP. HENNESSY, 127<sup>th</sup> Dist.  
SEN. MOORE, 22<sup>nd</sup> Dist.  
SEN. GOMES, 23<sup>rd</sup> Dist.  
REP. STALLWORTH, 126<sup>th</sup> Dist.

REP. SANTIAGO, 130<sup>th</sup> Dist.  
REP. BAKER, 124<sup>th</sup> Dist.  
REP. STAFSTROM, 129<sup>th</sup> Dist.

To: Senate Bill No. **882**

File No. 135

Cal. No. 651

(As Amended by Senate Amendment Schedule "A")

### ***"AN ACT CONCERNING MUNICIPAL INFRASTRUCTURE."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (e) of section 7-421 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2015*):

6 (e) Any municipal employee shall have the right to serve on any  
7 governmental body of the town in which such employee resides except  
8 any body which has responsibility for direct supervision of such  
9 employee. Notwithstanding the provisions of this subsection and  
10 except as provided in subsection (f) of this section, (1) no such  
11 employee shall serve on [any of the following] any board of finance  
12 created pursuant to chapter 106 or any special act or municipal charter

13 or any body exercising the powers of a board of finance unless such  
14 employee is permitted to serve pursuant to the provisions of a  
15 municipal charter or home rule ordinance or serves because of  
16 membership on the legislative body of [the] a municipality [: (A) Any  
17 board of finance created pursuant to chapter 106 or any special act or  
18 municipal charter; (B) any] having a population of less than one  
19 hundred forty thousand as shown by the most recent federal decennial  
20 census; (2) no such employee shall serve on any of the following unless  
21 such employee is permitted to serve pursuant to the provisions of a  
22 municipal charter or home rule ordinance or serves because of  
23 membership on the legislative body of the municipality: (A) Any body  
24 exercising zoning powers pursuant to chapter 124 or any special act or  
25 municipal charter; [(C)] (B) any body exercising land use powers  
26 pursuant to chapter 125a or any special act or municipal charter; [(D)]  
27 (C) any body exercising planning powers pursuant to chapter 126 or  
28 any special act or municipal charter; or [(E)] (D) any body regulating  
29 inland wetlands and watercourses pursuant to chapter 440 or any  
30 special act or municipal charter; and [(2)] (3) any municipality may, by  
31 ordinance adopted by its legislative body, authorize such employees to  
32 serve on (A) any body exercising zoning powers pursuant to chapter  
33 124 or any special act or municipal charter; (B) any body exercising  
34 land use powers pursuant to chapter 125a or any special act or  
35 municipal charter; (C) any body exercising planning powers pursuant  
36 to chapter 126 or any special act or municipal charter; or (D) any body  
37 regulating inland wetlands and watercourses pursuant to chapter 440  
38 or any special act or municipal charter.

39 Sec. 2. Section 7-421 of the general statutes is amended by adding  
40 subsection (f) as follows (*Effective October 1, 2015*):

41 (NEW) (f) Any municipal employee employed by a municipality  
42 having a population of more than one hundred forty thousand as  
43 shown by the most recent federal decennial census who is serving on a  
44 board of finance created pursuant to chapter 106, any special act or  
45 municipal charter or on any body exercising the powers of a board of

46 finance on October 1, 2015, may continue to serve on such board or  
47 body and may be reappointed or reelected to such office, provided  
48 nothing in this subsection shall authorize a municipal employee who  
49 has ceased serving on such board or body to be appointed or to be a  
50 candidate for such office unless such employee is permitted to serve  
51 pursuant to the provisions of a municipal charter or home rule  
52 ordinance.

53 Sec. 3. Subsection (a) of section 8-19 of the general statutes is  
54 repealed and the following is substituted in lieu thereof (*Effective*  
55 *October 1, 2015*):

56 (a) Any municipality may create by ordinance a planning  
57 commission, which shall consist of five members, who shall be electors  
58 of such municipality and whose terms of office and method of election  
59 or appointment shall be fixed in the ordinance. The ordinance may  
60 provide that members may be municipal employees if the municipality  
61 has adopted an ordinance authorizing such membership pursuant to  
62 the provisions of subparagraph (C) of subdivision [(2)] (3) of  
63 subsection (e) of section 7-421, as amended by this act. The chief  
64 executive officer of the municipality and the engineer thereof or  
65 commissioner of public works, if any, shall also be members of the  
66 commission, without voting privileges. The terms of office shall be so  
67 arranged that the terms of not more than three members shall expire in  
68 any one year. Unless otherwise provided by charter, vacancies shall be  
69 filled by the commission for the unexpired portion of the term. Upon  
70 the adoption of this section by ordinance as herein provided, and the  
71 appointment or election of a commission thereunder, any planning  
72 commission in the municipality established under any previous act of  
73 the General Assembly shall cease to exist, and its books and records  
74 shall be turned over to the commission established under this section,  
75 provided all regulations promulgated by such planning commission  
76 prior to that time shall continue in full force and effect until modified,  
77 repealed or superseded in accordance with the provisions of this  
78 chapter. The area of jurisdiction of a planning commission created by a

79 town includes any city or borough therein without a legally  
 80 constituted planning commission for all planning purposes except  
 81 those specified in sections 8-24 and 8-29. Powers granted under said  
 82 sections may be delegated by the legislative body of such city or  
 83 borough to the planning commission of the town in which such city or  
 84 borough is situated. Any city or borough in which a planning  
 85 commission has been previously established may, by ordinance,  
 86 designate the commission established under this section in the town in  
 87 which such city or borough is situated to be the planning commission  
 88 of such city or borough, and such commission shall supersede the  
 89 planning commission previously established in such city or borough.  
 90 The commission shall elect a chairman and a secretary from its  
 91 members, shall adopt rules for the transaction of business and shall  
 92 keep a public record of its activities. The planning commission of each  
 93 municipality shall file an annual report with the legislative body  
 94 thereof."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	7-421(e)
Sec. 2	October 1, 2015	7-421
Sec. 3	October 1, 2015	8-19(a)